IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL (LODGING) NO.487 OF 2004
WITH
NOTICE OF MOTION NO.1805 OF 2004

The Commissioner of Income Tax,
Mumbai City VI, Mumbai .. Appellant
V/s
M/s.Balkrishna Industries Ltd.Mumbai .. Respondents

Mr.A.D.Kango for the Appellant.
Mr.A.K.Jasani for Respondents.

CORAM : DR.S.RADHAKRISHNAN, &
V.C.DAGA, JJ.

DATE : 12th June, 2007.

P.C.:

1. The learned Counsel for the Appellant seeks leave to withdraw this Appeal. Appeal is therefore allowed to be withdrawn and dismissed as such. Permissible Court fees be refunded to the Appellant as per the Rules.

2. In view of disposal of the Appeal, nothing further survives in the aforesaid Notice of Motion No.1805/2004. Hence, Notice of Motion 1805/2004 stands dismissed.

(V.C.DAGA, J.) **(DR.S.RADHAKRISHNAN,J.)**